

3:04-cr-240-1

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 08-10560

U. S. COURT OF APPEALS

FILED

SEP 24 2009

CHARLES R. FULBRUGE III
CLERK

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

MOHAMMAD EL-MEZAIN; GHASSAN ELASHI; SHUKRI ABU BAKER;
MUFID ABDULQADER; ABDULRAHMAN ODEH; HOLY LAND
FOUNDATION FOR RELIEF AND DEVELOPMENT, also known as HLF,

Defendants - Appellants

Consolidated with
No. 08-10664

UNITED STATES OF AMERICA

Plaintiff - Appellee

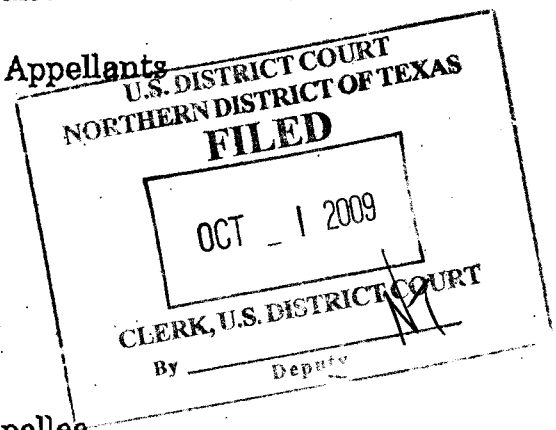
v.

SHUKRI ABU BAKER; MOHAMMAD EL-MEZAIN; GHASSAN ELASHI;
MUFID ABDULQADER; ABDULRAHMAN ODEH,

Defendants - Appellants

Consolidated with
No. 08-10774

UNITED STATES OF AMERICA



Plaintiff - Appellee

v.

MOHAMMAD EL-MEZAIN;

Defendant - Appellant

Appeal from the United States District Court
for the Northern District of Texas

Before HIGGINBOTHAM, CLEMENT, and SOUTHWICK, Circuit Judges.

We grant the government's motion to remand to the district court for a determination of the fact questions as requested by the motion including Ms. Natarajan's authority to represent HLF, whether HLF was represented at trial, and the corporate status of HLF at relevant times.

We leave to the district court on remand the scope of its inquiry regarding the issue of authority as well as the motion of Holy Land Foundation for Relief and Development to appoint Ranjana Natarajan as pro bono counsel.

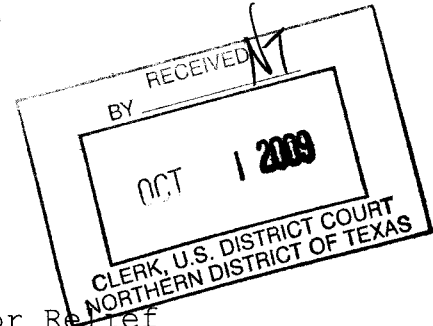
United States Court of Appeals
FIFTH CIRCUIT
OFFICE OF THE CLERK

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NEW ORLEANS, LA 70130

September 24, 2009

Ms. Karen S. Mitchell
Northern District of Texas, Dallas
United States District Court
1100 Commerce Street
Earle Cabell Federal Building
Room 1452
Dallas, TX 75242

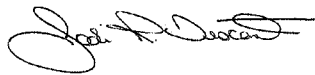


No. 09-10560, USA v. Holy Land Fnd for Relief
USDC No. 3:04-CR-240-1

Enclosed is a copy of the judgment issued as the mandate for the appeal of Holy Land Foundation for Relief and Development.

The appeals of Mohammad El-Mezain, Ghassan Elashi, Shukri Abu Baker, Mufid Abdulqader, and Abdulrahman Odeh remain pending before this court.

CHARLES R. FULBRUGE III, Clerk

By: 
Jodi R. Descant, Deputy Clerk
504-310-7718

cc: w/encl:

Ms. Marlo Pfister Cadeddu
Ms. Susan B Cowger
Mr. Joshua L Dratel
Ms. Nancy M Hollander
Ms. Linda Moreno
Mr. Ranjana Natarajan
Mr. Gregory Burke Westfall

Mandate Issued - MDT-1